

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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W-O MARINE PTE LTD., f/k/a
ANDORRA SHIPPING PTE LTD.,

Plaintiff,

- against -

FUELNATION INC.,

Defendant.
-----X

07 Civ. 01348 (LTS)

ECF CASE

**ORDER DIRECTING THE RELEASE OF
ATTACHED PROPERTY AND DISMISSAL OF ACTION**

Whereas the Plaintiff, W-O MARINE PTE LTD., f/k/a ANDORRA SHIPPING PTE LTD ("Plaintiff"), has moved this Court to dismiss the instant action against Defendant, FUELNATION INC., ("Defendant") on a without prejudice basis;

Whereas pursuant to Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure, on or about February 23, 2007, Plaintiff obtained from the Court an Ex-Parte Order of Maritime Attachment together with Process of Maritime Attachment and Garnishment that authorized the attachment of Defendants' property with the Southern District of New York in an amount up to \$999,053.43; and


Whereas garnishee Bank of America, acting pursuant to the Ex-Parte Order of Maritime Attachment and Garnishment, restrained and attached property which Plaintiff contends belongs to the Defendant in the approximate amounts of \$19,985.00 and \$200.00; and

Whereas upon information and belief, reserving Plaintiff's rights, the wire attached in the amount of \$200.00~~0~~ at Bank of America should be released to the Defendant (using Defendant's account details as set forth in the wire attached); and

Whereas upon information and belief, reserving Plaintiff's rights, the wire attached in the amount of \$19,985.00 at Bank of America should be wired via electronic funds transfer, to the following designated bank account:

Citibank, N.A.
120 Broadway
New York, NY 10271
SWIFT Code: CITIUS33
ABA No. 021 000 089
Account No. 37032209 - United States Dollars
Payee Name: Freehill, Hogan & Mahar

NOW THEREFORE:

 IT IS HEREBY ORDERED that Bank of America shall release the wire attached in the amount of \$200.00~~0~~ to Defendant (using Defendant's account details as set forth in the wire attached); and

IT IS FURTHER HEREBY ORDERED that Bank of America shall release and wire via electronic funds transfer the wire attached in the amount of \$19,985.00, to the following designated bank account:

Citibank, N.A.
120 Broadway
New York, NY 10271
SWIFT Code: CITIUS33
ABA No. 021 000 089
Account No. 37032209 - United States Dollars
Payee Name: Freehill, Hogan & Mahar
and

IT IS FURTHER HEREBY ORDERED this Court shall retain jurisdiction to enforce this Order and to enforce any supplemental orders that garnishee Bank of America may require to effect the foregoing electronic wire funds transfers;

IF IS FURTHER ORDERED that this matter is dismissed without prejudice, and without costs to any party.

SO ORDERED.

 4/27/09

U.S.D.J.